

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

MICHAEL P. and SHELLIE GILMOR,)	
et al.,)	
)	
Plaintiffs,)	
)	
vs.)	Case No. 10-0189-CV-W-ODS
)	
PREFERRED CREDIT CORP., et al.,)	
)	
Defendants.)	

ORDER (1) GRANTING IN PART JOINT MOTION TO ALTER OR AMEND ORDER
CERTIFYING PLAINTIFF CLASS, (2) PERMITTING CERTAIN CLASS MEMBERS TO
OPT OUT OF THE CLASS, AND (3) DISMISSING DEFENDANT RESIDENTIAL
FUNDING COMPANY

Plaintiffs and Defendant Residential Funding Company, LLC ("RFC") jointly ask the Court to amend the order certifying the class, to approve settlements, and to dismiss certain claims. The Court declines the parties' request that it pass on the wisdom of settlements entered personally by individuals absent some law or rule requiring judicial review and approval. Instead, based on the materials submitted by the parties, the Court rules that the following individuals have opted out of the class to pursue their own private settlement with RFC:

- Kenneth and Kristi Atkins
- Darren and Kimberly Berry
- Darlene Harrell
- Kenneth and Brenda Head
- Vincent and Dorothy O'Grady
- Clinton and Nicole Ruble
- Henry and Dorothy Van Sittert
- Don Zeller

Based on Plaintiffs' representation that these are the only class members who have any claim for relief from RFC, the Court also hereby dismisses RFC from this suit.

Plaintiffs' representation also persuades the Court that further notice of this dismissal is unnecessary. See Fed. R. Civ. P. 23(e).

IT IS SO ORDERED.

DATE: January 17, 2012

/s/ Ortrie D. Smith
ORTRIE D. SMITH, SENIOR JUDGE
UNITED STATES DISTRICT COURT